

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

DEKOTA JAMES MCCLURE,

Plaintiff,

vs.

CITY OF BILLINGS POLICE
DEPARTMENT, CHIEF ST. JOHN, DET.
DONAHUE, AND UNKNOWN
DETECTIVE,

Defendants.

CV-24-109-BLG-BMM

ORDER

Plaintiff Dekota James McClure, proceeding without counsel, filed a proposed Complaint. (Doc. 2.) The Complaint failed to state a claim, but McClure was given the opportunity to amend. (Doc. 9.) Despite detailed instruction in the Court's prior Order as to the deficiencies in the original Complaint, McClure's Amended Complaint likewise fails to state a claim. For the reasons outlined in the prior Order, incorporated here by reference, and for failure to state a claim, McClure's Amended Complaint is dismissed. (Doc. 8.)

Accordingly, it is **HEREBY ORDERED**:

1. This action is **DISMISSED**. The Clerk of Court is directed to close the

case and enter judgment.

2. The Clerk of Court shall have the docket reflect that this dismissal counts as a strike against McClure within the meaning of 28 U.S.C. § 1915. The Court certifies that appeal of this matter would not be taken in good faith. Fed. R. App. P. 24(a)(3)(A).

DATED this 23rd day of October, 2024.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable.

Brian Morris, Chief District Judge
United States District Court